

POLICY IN PALESTINE.

Memorandum by the Secretary of State for the Colonies.

WHEN the question of policy in Palestine was last under discussion in the Cabinet (Cabinet 42 (37)), it was agreed that the matter should be postponed and that the Secretary of State for Foreign Affairs should circulate a memorandum; but it was also understood that there was no question of going again over the ground covered by the Royal Commission, but rather of considering whether the situation had been altered by factors which had arisen since the Commission's Report was made public.

2. I feel bound to observe that the memorandum (C.P. 281 (37)) which has been circulated by the Secretary of State for Foreign Affairs seems to me to ignore certain fundamental realities of the Palestine problem and of our position in relation to that problem, and to adopt a standpoint which must involve the reopening not only of the Report of the Royal Commission, but of the policy embodied in the Command paper of last July,* if not of the policy, now twenty years old, which was embodied in the Balfour Declaration.

3. I have dealt in an appendix (Appendix I) with certain statements and assumptions which appear to me to be erroneous, and I will confine this memorandum to the main issue.

4. I need hardly remind my colleagues that the unanimous report of the Royal Commission, to whose ability and impartiality public testimony has been paid in Parliament and elsewhere, diagnosed the root of the trouble in Palestine as a conflict of the national aspirations of Arabs and Jews, which were irreconcilable under the existing Mandate. They pointed out that these national aspirations were justified by the terms of various pledges of His Majesty's Government and of the Mandate itself, and had been stimulated by political developments outside Palestine.

The Commission also pointed out, as preceding Commissions had done, that Arab hatred and fear of the establishment of the Jewish national home had been aggravated by the general uncertainty, due to the ambiguity of certain phrases in the Mandate, as to the ultimate intentions of the Mandatory Power. As is well known, the lack of a clear definition of the obligations of His Majesty's Government, particularly with reference to the establishment of a national home for the Jews, has deprived successive British Governments of any sound moral foundation on which a firm and consistent policy or administration could be based, with consequent damage to our prestige not only in the eyes of the Arabs and Jews of Palestine, but throughout the world.

5. The Royal Commission, who occupied, in the eyes of the public, the position of arbitrators between the contending parties in Palestine, and between those parties and the British Government, after a disinterested examination of all

the relevant facts as to the nature of our obligations towards Arabs and Jews, reached certain important conclusions which may be summarised as follows :—

- (1) that, on a just interpretation of our pledges and of the provisions of the Mandate, both Arabs and Jews in Palestine were entitled to independence;
- (2) that both races must be regarded as fit for self-government;
- (3) that on the one hand the Arab hatred of the Jewish National Home, and on the other the nationalist ideals on which the conception of the Jewish National Home is based, precluded the possibility of satisfying the national aspirations of both races under a unitary Government; and
- (4) that the only means by which we could discharge our obligations to the two races was by partition, which, in the opinion of the Commission, was the only solution which seemed to offer at least a chance of ultimate peace.

6. In the Statement of Policy (Command 5513) His Majesty's Government expressed their general agreement with the arguments and conclusions of the Commission, and have now obtained authority from Parliament and from the League of Nations to explore the possibilities of a solution by means of partition; and I would here remind my colleagues that both in Parliament and before the Permanent Mandates Commission this policy encountered serious criticism, mainly from the point of view of Jewish, not Arab, interests, and that the "pro-Arab" group of Members of the House of Commons, whose opinions were embodied in a letter which I circulated to the Cabinet on the 11th August (C.P. 203 (37)), have recently reassured me of their support of partition in principle. I may add that Sir John Chancellor, the late High Commissioner for Palestine, has recently informed me that he is strongly in favour of partition.

Dr. Weizmann, the Zionist leader, who heartily supports the principle of partition, succeeded in obtaining from the Zionist Congress at Zurich last August, provisional authority to negotiate with His Majesty's Government on the details of a scheme of partition, and it is clear that any proposal short of this would have been heavily attacked by Jews all over the world as a repudiation of our obligations to the Jewish people.

Dr. Weizmann has, moreover, committed himself publicly to the principle of partition on as recent a date as the 12th October, when he spoke at a meeting of the Royal Empire Society. The report of his speech contains the following passages :—

"For himself, he [Dr. Weizmann] would, with certain modifications, heartily support the decision on general lines at which the Commission had arrived. It was not an ideal solution, but there was no ideal solution to any problem in the world"

"He felt that this solution, if promptly and properly carried out, offered from the Jewish point of view an opportunity to the Jews which they had not had for a very long time."

7. In face of these events I would like the Cabinet to envisage the consequences of withdrawal from the policy to which we are committed. We have accepted the impartial interpretation of the Royal Commission as to the nature of our obligations towards the Jewish people, an interpretation which clearly does not satisfy their full demands, but for which their leaders have obtained approval in principle. On what grounds could we justify to the Jews the repudiation of a Statement of Policy issued only four months ago, and the offer to the Jews, in place of a settlement by partition, which follows inevitably from acceptance of the arguments and conclusions of the Royal Commission, of a permanent minority position in Palestine? I know of no new development which would provide us with a defence against the charges of betrayal which would be levelled at us from Jews throughout the world, and I should not envy any Secretary of State who might be called upon to defend such a proposal in Parliament or before the Permanent Mandates Commission. The effect of such a *colte-face* on our relations with foreign Governments is not for me to assess, but I feel bound to draw attention to the serious possibilities of disturbance of our relations with the Government of the United States.

8. The greater part of Mr. Eden's memorandum is devoted to showing that the policy of partition has met with widespread opposition from the Arab peoples of the Middle East, and, if I understand him aright, he maintains that this opposition represents the "new development" which justifies reconsideration of our policy; but this opposition has surely taken no one by surprise. The fact that the Royal Commission in their Report did not discuss the possibility of the enforcement of a scheme of partition does not justify the implication (in paragraph 4 of C.P. 281 (37)), that the Commission regarded the success of their scheme as dependent on general agreement. The Commission in their Report and His Majesty's Government in the Statement of Policy* went no further than to express the hope of securing the consent of the communities concerned, and it is obvious that in neither of these documents would it have been appropriate to refer to the possibility of compulsion in the last resort.

9. It is important to consider the nature of the Arab opposition to our policy. Both in Palestine and, I think Mr. Eden will agree, in surrounding Arab countries, this opposition has been based not on the merits of the question at issue, but on the inveterate Arab objection to the Balfour Declaration. It is clear to me that with such objections there can be no compromise. Either we must carry out our pledges to the Jewish people as now interpreted by an impartial Royal Commission, or we shall have to tell the Jews that we cannot fulfil our frequently reiterated pledges for fear of jeopardizing our relations with the Arab rulers outside Palestine. This is the issue which will have to be faced in the last resort. Previous British Governments have been unable to face this issue squarely owing to lack of clear definition of our obligations towards the Jews. Our acceptance in principle of the conclusions of the Royal Commission and the acceptance in principle by the Jews of the partition solution provide us with the necessary moral foundation for a firm policy, and the grave consequences of abandonment, on grounds of expediency, of our obligations to the Jews must be weighed in the balance against any "Middle Eastern" interests that may be held to justify so formidable a change of policy.

10. I hope that I do not underestimate the strength of the pan-Arab movement, but, with all deference, I venture to doubt whether it is yet possible to argue with any plausibility that "the Middle East is an organic whole." I do not propose to comment in detail on the paragraphs of Mr. Eden's memorandum dealing with the state of opinion in Egypt, Iraq, Saudi Arabia and the Yemen. I cannot say what impression these paragraphs may have made upon the minds of my colleagues, but, for my own part, I find no conclusive or final evidence in those paragraphs of any widespread or permanent feeling in those countries with reference to the Palestine question.

11. The reference in paragraphs 21 and 22 to possible obstruction at Geneva has caused me some surprise. Speaking from my own personal experience during the recent Special Session of the Permanent Mandates Commission, I can only testify that the attitude of that body, whose opinion carries much weight with the Council of the League, was almost exclusively concerned with the fulfilment of the Balfour Declaration and that our policy was criticised on the ground, not that partition would be unjust to the Arabs, but that it would not give enough to the Jews. Indeed, the whole tenour of my cross-examination was that we had been weak in the face of Arab aggression.

In view of the reference in paragraph 21 to possible lack of sympathy with our policy on the part of the French Government, I feel it necessary to observe that, so far as I am aware, the only doubts so far expressed by that Government related to the proposal mooted in Part II of the Report of the Royal Commission for the establishment of an Arab Bureau in this country and to the advisability of encouraging the pan-Arab movement. On the Palestine-Syria frontier the French authorities are co-operating whole-heartedly with the Government of Palestine in the control of political undesirables and the suppression of armed bands.

I also find difficulty in accepting the suggestion that Persian opposition is likely to be encountered at Geneva. In my opinion the attitude of Iran is not likely to differ from that of Turkey, who is strongly opposed to any encouragement of pan-Arab ideals.

12. In paragraph 28 Mr. Eden states that he is not in a position to put forward a detailed alternative solution to the proposal for partition, but elsewhere in that paragraph and in paragraphs 24 and 26 he appears to favour the suggestion which has been put forward by King Ibn Saud that a fixed numerical proportion should be established between the two races (Ibn Saud demands the maintenance of the existing proportion), thus providing the Arabs with an assurance "that the Jews will neither become a majority in Palestine nor be given any Palestinian territory in full sovereignty." It will be clear from the preceding paragraphs of this memorandum that such a proposal, which the Jews have described on past occasions as the conversion of their National Home into yet another "ghetto," not only would involve repudiation of the Royal Commission's interpretation (accepted in our Statement of Policy) of the nature of our obligations to the Jewish people, but could not be regarded as in any sense a solution of our problem, which is to secure ultimate peace in Palestine. Such terms would never in any circumstances have been accepted by the Jews and, in view of our Statement of Policy, would now be regarded as a betrayal. On the other hand, as Mr. Eden realizes, his proposal would involve the indefinite postponement of the self-government and independence which are the primary demands of the Arabs of Palestine and Trans-Jordan. We should be committed indefinitely to the course of repression from which we are now trying to escape, aggravated by the fact that we should have to meet active opposition not, as at present, from the Arabs alone, but from both races.

13. If the Cabinet accept my view that the only solution compatible with our obligations as interpreted by the Royal Commission lies in the partition of Palestine, it follows that the functions of the new Commission, the appointment of which has been announced at Geneva by Mr. Eden and by me in the House of Commons, should be strictly confined to working out the details of a scheme of partition. To empower that Commission, as now suggested by Mr. Eden, to consider the arguments for and against a proposal such as that of Ibn Saud, or indeed any alternative solution, would stultify our acceptance of the Report of the Royal Commission and subsequent announcements of the intentions of the British Government. In short, it seems to me that Mr. Eden's proposal amounts to a suggestion that a new Royal Commission should be appointed to examine the whole matter *de novo*.

14. I understand that Mr. Eden sees particular objection to the announcement of an intention on the part of His Majesty's Government to enforce partition in the last resort. I hope that I have succeeded in making it clear that, in the light of recent events and if the Arab attitude remains unchanged, the only alternative to enforcing some form of partition will be to inform the Jews that we cannot carry out our obligations on account of Arab opposition. I feel bound to emphasize the point that whether we clarify our intentions by an immediate announcement or not, this issue will have to be faced in the long run, if the new Commission succeed in devising an equitable and practicable scheme which secures the approval of His Majesty's Government, of Parliament and of the League of Nations.

15. Paragraph 7 of Mr. Eden's memorandum contains certain criticisms of the scheme of partition outlined by the Royal Commission. In this connection I need only observe that we are not committed to that particular plan or to the Commission's proposal for the compulsory transfer of Arabs from the prospective Jewish State. I may mention, as regards the latter point, that I took the responsibility of informing the Permanent Mandates Commission that this particular recommendation had not been accepted by His Majesty's Government. No useful purpose is served at the present stage by criticism of the plan of the Royal Commission or by anticipation of difficulties which the new Commission will have to overcome.

16. As I envisage future procedure, it will be for the new Commission to ascertain all the facts relevant to partition and, if possible, to work out a scheme in the light of those facts and of such representations as they may receive from the various communities in Palestine and Trans-Jordan. They will also have to take full account of British requirements from the point of view both of our strategic needs and of our mandatory obligations. I think it probable that the Commission may find it necessary to increase, at the expense of both Jewish and

Arab areas, the area placed under mandatory control in the plan of the Royal Commission. I also think that our strategic needs, as well as the demographic facts in Palestine, may require that at least for a considerable period of years North-Western Galilee, including Haifa and the triangle between the Egyptian frontier and the Gulf of Aqaba, must remain under British mandatory government. This suggestion should, in my opinion, be examined by the Chiefs of Staff.

17. The work of the new Commission will undoubtedly occupy many months. They will be unable to complete their report until they are in possession of the data which will be supplied by the hydrographic and other surveys and inquiries which have recently been put in hand by the Palestine Government. When their report is received, and assuming that the Commission have been able to devise an equitable and practicable scheme, a decision must be further delayed pending reference to Parliament and to the League of Nations. Assuming the co-operation of both communities, a further lengthy period will be required for the establishment of provisional Governments, subordinate to the control of the mandatory Power, and the negotiation of treaties with reference to the establishment of independent States. Thereafter, it may be decided to adopt the suggestion of the Permanent Mandates Commission that the embryo States should be administered provisionally under a "cantonization" system or under separate temporary mandates for a few years. There is, therefore, no question of immediate action to carry out partition.

18. On the other hand, it is clear to me that, while the establishment of independent States may be delayed for some years and is in any case obviously dependent in each case on the willing co-operation of the peoples concerned, a decision on the question of partition must be taken as soon as the verdict of Parliament and of the League of Nations has been pronounced upon the specific proposals of the new Commission. "Provisional cantonization," after a scheme of partition has been decided upon, will be well worth consideration provided that both communities have accepted the offer of self-government leading to independence; but its inadequacy in any other circumstances has been, in my opinion, completely exposed in Chapter XXI of the Report of the Peel Commission. If one or both of the communities refuse to co-operate in a scheme of partition leading in due course to the establishment of independent States, I see no alternative, if ultimate peace is to be attained, to proceeding with the partition of the country with a view to administering separately under British Mandate the area or areas in which it is not found possible to establish an independent State or independent States.

19. In paragraph 2 of his memorandum Mr. Eden criticises my proposal that the Partition Commission should be empowered to receive evidence and representations from the Arabs of Palestine and Trans-Jordan alone, and implies that I am dealing with the question "from a purely Palestinian angle." I cannot accept that implication. In my opinion, this particular question is one of procedure and my recommendation is based on purely practical considerations. I know of no precedent for inviting representatives of foreign Governments to give evidence before a Commission appointed to carry out investigations in territory under British administration, and if, as I recommend, the functions of the Commission are confined to working out a scheme of partition, there could, I suggest, be no justification, practical or otherwise, for associating such foreign representatives with the inquiry. The intervention of the Arab Kings in Palestine in 1936 was not invited by His Majesty's Government and was only tolerated with the greatest hesitation. As my colleagues are aware, the consideration accorded by His Majesty's Government and the Government of Palestine to the mediatory activities of those rulers has been the subject of grave criticism both in Parliament and at Geneva.

20. The question for immediate consideration is whether or not it is advisable at this stage to clarify our intentions. I am far from wishing to add to the embarrassments of the Secretary of State for Foreign Affairs at this juncture. It is for the Cabinet to decide whether the considerations to which he has drawn attention outweigh the need which has been impressed upon me in various quarters for a clear statement of our intentions. In my earlier memorandum (C.P. 269 (37)), I referred generally to the circumstances which have

tended to obscure our policy and to the grave disadvantages of the present atmosphere of uncertainty both within and without Palestine. The Acting High Commissioner, who has been discharging with excellent judgment and firmness the difficult responsibility of combating the campaign of terrorism which has been the chief weapon of the Arab leaders, has repeatedly emphasised the need for a definite statement of policy and for the early appointment of the new Commission as an earnest of the intention of His Majesty's Government to persist in that policy. I will quote from a recent letter :—

- “(a) It is the uncertainty which is causing so much tension here and which is incidentally having an adverse effect on industry and trade.
- (b) More delay means more uncertainty and a strengthening of the feeling that His Majesty's Government really do not mean to enforce a scheme of partition.
- (c) The East does not understand compromise, but merely accounts it as weakness. It would be damaging to His Majesty's Government's prestige having accepted the arguments in favour of a scheme of partition and having stated that the next step will be the appointment of a Commission to investigate the practical possibilities of such a scheme, if His Majesty's Government were now to recede from that position. Such a move would be looked upon, not only in Palestine but elsewhere, as a surrender to the gunman and the assassin, and a triumph for the forces of disorder.”

The following passage from the latest Police Intelligence Report of Palestine is also significant :—

“ There can be little doubt that for the present no person of standing is likely to assume the leadership of moderate opinion and that the situation in this respect will not change until the country generally is convinced that there is no likelihood of a reversal of recent Government policy.”

I may add that Sir Charles Tegart, who has gone to Palestine for the purpose of advising on Police matters and more particularly on measures to combat terrorism, speaking from his experience in India, has strongly emphasized the extent to which security measures of this nature are handicapped by uncertainty as to policy.

In the House of Commons, too, I have been pressed with questions relating to our intentions with regard to the appointment of the new Commission and its terms of reference.

Jewish leaders, not unreasonably, are pressing me to give some indication that the British Government is in earnest with regard to its acceptance of the policy of partition.

21. I remain then of the firm opinion that an early announcement should be made and that the terms of such an announcement should be as definite as possible. I must, however, defer to the representations of the Secretary of State for Foreign Affairs as regards the international complications to be apprehended as a result of any accentuation at the present stage of certain implications of our policy, however inevitable they may be, and I have appended (Appendix II) to this memorandum a revised draft of the proposed despatch to Palestine, the terms of which will, I hope, secure his concurrence.

W. O. G.